

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ROBERT E. COTNER,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-12-900-M
)	
WARDEN McCOLLUM,)	
)	
Respondent.)	

ORDER

On October 31, 2012, United States Magistrate Judge Bana Roberts issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2241, seeking a writ of habeas corpus. The Magistrate Judge recommended respondent's Motion to Dismiss Writ of Habeas Corpus be granted for lack of jurisdiction and all remaining motions be denied as moot. The parties were advised of their right to object to the Report and Recommendation by November 20, 2012. On November 13, 2012, petitioner filed his objection.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 32] issued by the Magistrate Judge on October 31, 2012;
- (2) GRANTS respondent's Motion to Dismiss Writ of Habeas Corpus [docket no. 23];
- (3) DENIES AS MOOT all remaining motions [docket nos. 9, 20, 21, 26, 29, 31, and 36]; and
- (4) DISMISSES this action for lack of jurisdiction.

IT IS SO ORDERED this 15th day of November, 2012.


VICKI MILES-LaGRANGE
CHIEF UNITED STATES DISTRICT JUDGE